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Trademark Law

January 7, 2009

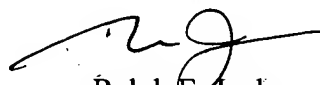
Mail Stop ISSUE FEE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: In Re Application of: **Shepley, et al.**  
Serial No.: **10/722,129**  
Confirm. No.: **4671**  
Filed: **November 24, 2003**  
For: **Cash Dispensing Automated Banking Machine  
Diagnostic Device**  
Docket: **D-1182 R1**

Sir:

Please find enclosed an Issue Fee Transmittal form and Comments on Statement of Reasons for Allowance for filing in the above-referenced Application. Please charge the Issue Fee, Publication Fee, and Advanced Order Fee to Deposit Account No. 09-0428 of Diebold Self-Service Systems.

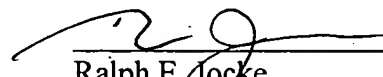
Very truly yours,

  
Ralph E. Jocke  
Reg. No. 31,029

CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that this document and the documents indicated as enclosed herewith are being deposited with the U.S. Postal Service as Express Mail Post Office to addressee in an envelope addressed to Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450, this 12 day of January 2009.

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Ralph E. Jocke

330 • 721 • 0000  
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330 • 225 • 1669  
CLEVELAND

330 • 722 • 6446  
FACSIMILE

clp@walkerandjocke.com  
E-MAIL

231 South Broadway, Medina, Ohio U.S.A. 44256-2601



D-1182 R1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:	)	
<b>Shepley, et al.</b>	)	
	)	Art Unit 2876
Serial No.: 10/722,129	)	
	)	
Confirm. No.: 4671	)	
	)	
Filed: November 24, 2003	)	Patent Examiner
	)	<b>Daniel A. Hess</b>
For: Cash Dispensing Automated	)	
Banking Machine Diagnostic	)	
Device	)	

Mail Stop ISSUE FEE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Allowability dated October 30, 2008 kindly enter Applicants' comments on Statement for Reasons for Allowance without prejudice as follows:

**Comments on Statement of Reasons for Allowance**

It is respectfully submitted that the Statement makes various assertions regarding the prior art and regarding arguments previously made by Applicant. However, it should be understood that the allowed subject matter is to only be directed to that subject matter which is recited in the claims. Any remarks in the Statement which add to or subtract from the recited subject matter should be disregarded.

Respectfully submitted,



Ralph E. Jooke  
WALKER & JOCKE  
231 South Broadway  
Medina, Ohio 44256  
330-721-0000

Reg. No. 31,029